

# EXHIBIT I

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

CONTROL NUMBER	FILING DATE	PATENT UNDER REEXAMINATION	ATTORNEY DOCKET NO.
90/004,771	09/30/97	4963736	33179/165596

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MM21/0112

EXAMINER	
BERMAN, J.	
ART UNIT	PAPER NUMBER
2878	17
DATE MAILED: 01/12/99	

## NOTICE OF INTENT TO ISSUE REEXAMINATION CERTIFICATE

- 1.
- ☒
- Examination has been terminated in this reexam proceeding and a Certificate will be issued in due course in view of:

- a. ☒ Patent owner's communication filed on: 10/19/98 and 11/30/98
- b. ☐ Patent owner's late response filed on: \_\_\_\_\_
- c. ☐ Patent owner's failure to file an appropriate response to the Office action dated: \_\_\_\_\_
- d. ☐ Patent owner's failure to timely file an Appeal Brief. 37 C.F.R. 1.192.
- e. ☐ Other: \_\_\_\_\_

The Reexamination Certificate will indicate the following:

- f. Change in the Specification:
- ☐
- Yes,
- ☒
- No

- g. Change in the Drawings:
- ☐
- Yes,
- ☒
- No

- h. Status of the Claims:

- (1) Patent claim(s) confirmed: 1-24
- (2) Patent claim(s) amended: \_\_\_\_\_
- (3) Patent claim(s) cancelled: \_\_\_\_\_
- (4) New claim(s) patentable: 25-30

2. ☒ Note attached statement of reasons for patentability and/or confirmation. Any comments considered necessary by patent owner regarding reasons for patentability and/or confirmation must be submitted promptly to avoid processing delays. Such submissions should be labeled: "Comments on Statement of Reasons for Patentability and/or Confirmation."
3. ☐ Note attached NOTICE OF REFERENCES CITED, PTO - 892, which is a part of this communication. The listed references are considered pertinent to the claimed invention, but the claims are deemed to be patentable thereover.
4. ☐ Note attached LIST OF REFERENCES CITED, PTO - 1449, which is part of this communication and serves as an acknowledgment of receipt of patent owner's prior art statement. The references which were considered have been initiated on the form by the examiner and the claims are deemed patentable thereover.
5. ☐ The drawing correction request filed on: \_\_\_\_\_ is ☐ is, ☐ is not, approved.
6. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has: ☐ been received, ☐ not been received, ☐ been filed in Serial No. \_\_\_\_\_ filed on: \_\_\_\_\_
7. ☐ Note Examiner's Amendment (attachment).
8. ☐ Other (attachment): \_\_\_\_\_

Requester  
PTOL-469 (2-99)

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The following is an examiner's statement of reasons for allowance: As the Examiner stated in the Office action mailed June 15, 1998, the declaration of Dr. Fréchet filed on June 3, 1998 establishes that the apparatus disclosed in the French application does not operate with a product of pressure and rod length greater than or equal to  $2.25 \times 10^{-3}$  torr cm in a chamber containing a rod set operated with only AC voltages applied.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Jack Berman whose telephone number is (703) 308-4849.

  
Jack I. Berman  
Primary Examiner

jb

December 3, 1998

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